

Minutes
State Board of Education Meeting
Thursday, March 9, 2017

The State Board of Education met Thursday, March 9, 2017, in the Arkansas Department of Education Auditorium. Vice-Chair Dr. Jay Barth called the meeting to order at 10:00 am.

Present: Mireya Reith, Chair; Dr. Jay Barth, Vice-Chair; Joe Black; Diane Zook; Ouida Newton; Susan Chambers; Brett Williamson; Charisse Dean; and Johnny Key, Commissioner.

Absent: Dr. Fitz Hill; Meghan Ables, 2016 Teacher of the Year; and Mireya Reith, Chair (10:00-2:30)

Consent Agenda

Ms. Newton moved, seconded by Ms. Chambers, to approve the consent agenda. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes – February 9, 2017
- Minutes – February 10, 2017
- Newly Employed, Promotions and Separations
- Review of Loan and Bond Applications
- Consideration of Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. § 6-17-309
- Approval of Letter to Districts regarding Arkansas Teacher of the Year
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-162 – Darrick Wayne Lowery
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #16-175 – Richard Thomas Riley
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #17-003/#17-017 – Courtney Wilkins
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #17-021/#17-034 – Michael Ryan McKinney
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #17-035 – Jennifer Elissa Burnley
- Recommendation of Reappointment of the Little Rock School District Community Advisory Board
- Helena/West Helena ACT 1240 Annual Report
- Arkansas Virtual Academy
- Consideration of the 2015-2016 Annual Statistical Report
- Coordination Commission Annual Report

- Consideration for Public Comment: Proposed ADE Rules Governing Education Service Cooperative

Action Agenda

A-1 Consideration of the Charter Authorizing Panel Decision on the District Conversion Public Charter School Amendment Request: Warren Middle School, Warren, Arkansas

On February 15, 2017, representatives of Warren Middle School appeared before the Charter Authorizing Panel requesting an amendment to their charter. By unanimous vote, the Panel approved the request. No request for the State Board of Education to review the decision made by the Panel was submitted.

Mr. Williamson moved, seconded by Ms. Newton, to not review the Charter Authorizing Panel's decision on the District Conversion Public Charter School amendment request for Warren Middle School. The motion carried unanimously.

A-2 Consideration of the Charter Authorizing Panel Decision on the Open-Enrollment Public Charter School Amendment Request: Arkansas Connections Academy, Bentonville, Arkansas

Ms. Zook was absent on A-2.

On February 15, 2017, representatives of Arkansas Connections Academy appeared before the Charter Authorizing Panel requesting an amendment to their charter. By unanimous vote, the Panel approved the request. No request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Chambers moved, seconded by Mr. Williamson, to not review the Charter Authorizing Panel's decision on the Open-Enrollment Public Charter School amendment request for Arkansas Connections Academy. The motion carried unanimously.

A-3 Consideration of the Charter Authorizing Panel Decision on the Open-Enrollment Public Charter School Amendment Request: KIPP Delta, Helena, Arkansas

Ms. Zook recused on A-3.

On February 15, 2017, representatives of KIPP Delta appeared before the Charter Authorizing Panel requesting an amendment to their charter. By unanimous vote, the Panel approved the request. No request for the State Board of Education to review the decision made by the Panel was submitted.

Ms. Dean moved, seconded by Ms. Newton, to not review the Charter Authorizing Panel's decision on the Open-Enrollment Public Charter School amendment request for KIPP Delta. The motion carried unanimously.

A-4 District Request for Waivers Granted to Open-Enrollment Charter: Brinkley School District

Public School Program Advisor Mr. Freddie Scott said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district.

Brinkley School District Superintendent Dr. Debbie Goodwin said data indicated a school culture issue. She said the district had declining enrollment. She said the district needed waivers for hiring educators, early release time one day each week, student internships with the community and more opportunities for extended learning opportunities. She requested waivers from teacher licensure, library media specialist, school day hours, and instructional seat time. She said the district considered the research from the seven correlates of effective schools in their decision-making process. She said the waiver request was for five (5) years.

Ms. Newton moved, seconded by Ms. Zook, to grant the request for waivers granted to open-enrollment charter for Brinkley School District for five (5) years for teacher licensure. The motion carried unanimously.

Ms. Chambers moved, seconded by Mr. Black, to grant the request for waivers granted to open-enrollment charter for Brinkley School District for five (5) years for library media specialist. The motion carried unanimously.

Ms. Chambers moved, seconded by Mr. Black, to grant the request for waivers granted to open-enrollment charter for Brinkley School District for five (5) years for instructional seat time. The motion carried unanimously.

Ms. Dean moved, seconded by Ms. Chambers, to grant the request for waivers granted to open-enrollment charter for Brinkley School District for five (5) years for school day hours. The motion carried unanimously.

A-5 District Request for Waivers Granted to Open-Enrollment Charter: Cleveland County School District

Public School Program Advisor Mr. Freddie Scott said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district.

Rison High School Principal Mr. Davy King requested waivers from school hour seat time to provide more personalized learning opportunities for students. He said the request was for five (5) years.

Cleveland County School District Superintendent Mr. Johnnie Johnson provided demographics for the district. He said the student interns will be monitored. He said the school board approved a resolution in support of the waiver.

Rison High School Assistant Principal and Curriculum Coordinator Ms. LeTitia Johnson said the goal for students is to be life-long learners who return to work in the community. She said the request is for seniors, who are on-track to graduate, to participate in internships. She said the team was still working on evaluation of the plan.

Ms. Dean moved, seconded by Ms. Chambers, to approve the request for waivers granted to open-enrollment charter for Cleveland County School District for five (5) years. The motion carried unanimously.

A-6 District Request for Waivers Granted to Open-Enrollment Charter: Cabot School District

Public School Program Advisor Mr. Freddie Scott said Act 1240 of 2015 allows a school district to petition the State Board of Education for all or some of the waivers granted to Open-Enrollment Public Charter Schools that serve students who reside in the school district.

Cabot School District Superintendent Mr. Tony Thurman requested a five (5) year waiver to provide a flexible schedule. He said this waiver would provide flexible opportunities for students.

Cabot High School Principal Mr. Henry Hawkins said it is their goal is to start small and grow the opportunities slowly and successfully. He said the team would start with four courses for eleventh and twelfth grade students. He said teachers would be available to support the students. He said students must have a "C" average to be considered in the pilot group.

Ms. Chambers moved, seconded by Ms. Dean, to approve the request for waivers granted to open-enrollment charter for Cabot School District for five (5) years. The motion carried unanimously.

A-7 Consideration of Appeals for Maintaining Academic Distress Classification

State Systems Administrator Mr. Louis Ferren asked the State Board to consider appeals of the classification for Academic Distress. According to Section 3.02.2.1 of the

ACTAAP Rules, a school may be identified as being in academic distress if 49.5%, or less, of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period. Districts had until March 1 or 2, 2017, to submit a request for appeal. He said the concordance makes the different assessments comparable. He said Central High School had a percentage proficient or advanced of 49.426.

Helena- West Helena School District Superintendent Mr. John Hoy said growth was a more important indicator of school success. He said the school has improved over the past three years. He said his rationale for the appeal is to remove the label from the school, to improve the efforts to attract licensed teachers, and pass a millage to improve the high school. He said if the label of academic distress was removed from the school, the school would continue to receive assistance from the Department because the school is identified as a priority school. He said academic improvements are in place in the high school. Mr. Hoy said the school board extended his contract for three years.

General Counsel Ms. Lori Freno said regarding A.C.A. § 6-15-428 (c) (1) the state board shall hear the appeal of the school district within sixty (60) days of receipt of the written appeal in the commissioner's office.

Public School Accountability Coordinator Mr. Elbert Harvey said recommendations are monitored more intensely for schools in academic distress.

Ms. Chambers moved, seconded by Ms. Dean, to deny the appeal of the classification for Academic Distress for Central High School in the Helena-West Helena School District. The motion carried unanimously.

A-8 Consideration to Maintain Classification of Academic Distress – District

State Systems Administrator Mr. Louis Ferren said the Board will maintain classification of academic distress for a district according to Section 3.02.2.1 of the ACTAAP Rules, a district may be identified as being in academic distress if 49.5%, or less, of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period. He said the districts did not achieve above the 49.5% proficient or advanced. He said the Dollarway School District and Covenant Keepers Charter School did not appeal the classification of academic distress.

Ms. Zook moved, seconded by Ms. Chambers, to maintain the classification for the Districts in Academic Distress for Dollarway School District and Covenant Keepers Charter School. The motion carried unanimously.

Learning Services Coordinator Ms. Mary Perry said the charter expires for Covenant Keepers Charter School on June 30, 2019.

Ms. Newton moved, seconded by Ms. Zook, to request the Charter Authorizing Panel review Covenant Keepers Charter School regarding academic performance including but not limited to identifying the challenges and if the challenges are correctable. The motion carried unanimously.

A-9 Consideration to Maintain Classification of Academic Distress – Schools

State Systems Administrator Mr. Louis Ferren said the Board will maintain classification of academic distress for a school according to Section 3.02.2.1 of the ACTAAP Rules, a school may be identified as being in academic distress if 49.5%, or less, of its students achieve proficient or advanced in math and literacy on the state-mandated criterion referenced assessments administered for the most recent three (3) year period.

Ms. Zook moved, seconded by Ms. Chambers, to maintain classification of Academic Distress for the identified schools. The motion carried unanimously.

A-10 Consideration of Removal of Schools from Focus or Priority Status

Assistant Commissioner of Public School Accountability Ms. Annette Barnes said states received a letter from the U.S. Department of Education on January 13, 2017, defining criteria to consider removal of schools from Focus or Priority status.

State Systems Administrator Mr. Louis Ferren said the identified schools have met the exit criteria and recommended the schools be removed from focus or priority status effective today and that the schools will continue to receive support through June 30, 2017.

Ms. Newton moved, seconded by Ms. Dean, to approve the removal of schools from Focus or Priority status. The motion carried unanimously.

Dr. Barth requested to add an action item to the April State Board agenda to consider returning the Little Rock School District to local control. He said he planned to submit a written request to the State Board Liaison at least twenty (20) days before the regular Board meeting.

Public Comment Representative Reginald Murdock said assistance from the Department has been exceptional. He said the Board helped the Lee County School District operate as a locally controlled district. He said the community has requested he bring attention to the Board regarding issues.

Public Comment Former Senator Bill Lewellen said the Lee County School District was placed under state authority for academic distress. He said as a result, the staff turned the district around. He said the locally elected board has served two years and has bickered, had limited communication, and little has been accomplished. He said the

district now faces accreditation issues. He said the district received letters from the Department and the board did not consider the guidance.

Senator Lewellen said Superintendent Mrs. Willie Murdock has worked hard for the district and her contract expires June 30, 2017. He said the school board voted to dismiss Mrs. Murdock. Senator Lewellen said an injunction was filed to keep Mrs. Murdock in place and the judge ordered a temporary injunction. He said there was no evaluation of the superintendent. He submitted a petition of names to remove or suspend the Lee County School Board of Directors. He also submitted a letter from the Great Rivers Education Service Cooperative announcing Mrs. Willie Murdock as the 2017 Superintendent of the Year. He recommended the school board be removed.

Public Comment Ms. Angela Moore, financial coordinator for the Lee County School District, said the district has made substantial fiscal improvements and received a letter from the Department stating that the district could petition the State Board for removal from fiscal distress. She said she received another letter from the Department because of the uncertainty regarding the board's action to remove the superintendent that delayed the petition for removal from fiscal distress.

Ms. Moore said two individuals approached the school board to request an incentive bonus. She said the board approved the bonuses however the Department did not approve the debt request.

Ms. Moore said individuals have been asked to repay stipends that were not listed on the salary schedule, as per audit the individuals were not required to repay any funds. She said in addition, the board members disregarded the guidelines within the temporary injunction.

Public Comment Ms. Michelle Branch, employee and parent in the Lee County School District, said she has witnessed that Mrs. Murdock serves with children in her heart. She said she attended board meetings and has seen board members treat the superintendent poorly. She said the superintendent has made recommendations for hiring and the board has rejected the recommendations. She said board members made staffing decisions with the knowledge that the positions were required to be filled to meet accreditation. She said as a result of the negative behavior of the school board, the district has a reputation that is preventing future educators from applying. She said the district has not hired a school improvement specialist, counselor, and basketball coach.

Public Comment Mr. Irish Williams, Strive Program Principal, said Mrs. Murdock has been instrumental in providing services for students.

Commissioner Key said he and Mr. Andrew Tolbert attended a meeting with the Lee County Board of Directors where they both encouraged the board to continue the progress in the district. He confirmed that two (2) letters were sent to the district. He said he directed staff to conduct a comprehensive review of the district.

Program Manager for Standards of Accreditation Mr. Willie Morris said the review resulted in citations and probationary status of the district. He said there were four (4) probationary issues regarding teaching the required 38 courses. He said documentation has been received by the Department regarding two (2) of the four (4) violations. He said some other issues were identified but the district has time to correct these issues.

Public School Accountability Coordinator Mr. Elbert Harvey said the district had thirty (30) days to provide documentation to the Department to explain any findings from the site visit. He said after items are identified for citation or probationary status, districts have a correction window before the Department makes recommendations for action by the State Board. He said the Department may request action regarding probation during a future Board meeting.

Office of Intensive Support Finance Director Mr. Jeff Martello said Lee County School District was identified for fiscal distress because of declining legal fund balance. He said the superintendent made tough decisions to ensure fiscal integrity for the district. He said the district has made remarkable improvement.

Office of Intensive Support State Superintendent Mr. Andrew Tolbert said the board has bordered on harassment of the superintendent instead of supporting the superintendent to make wise decisions for the district. He said the board is a barrier to the progress of the district.

Lee County School District Superintendent Mrs. Willie Murdock said the superintendent contract signed under state authority ends June 30, 2017, and the locally elected school board has not renewed or extended her contract.

Assistant Commissioner of Public School Accountability Ms. Annette Barnes said the district is not on official probationary status of accreditation at this time.

Legal Counsel Ms. Lori Freno said the Department is reviewing the most recent audit findings from the district. She said a hearing has not been set regarding the temporary injunction. She said at this time the State Board has no general power to remove the school board regarding accreditation. She said there would have to be notification and an appeal process before action can be taken by the State Board.

Reports

Report-1 Chair's Report

Ms. Zook said she attended the Rogers-Lowell Banquet. She said educators Ms. Judy Meeks and Dr. Janie Darr were recognized.

Report-2 State Board Standing Committees, Special Committees, Liaisons, and Appointments Report

ForwARd Arkansas Liaison Dr. Barth said Cory Biggs would present the report today.

Deeper Learning Grant Manager and Appointment Ms. Reith said the State Board would travel to Dermott for a school visit tomorrow, March 10, 2017. She said a new staff member from NASBE has been assigned to support the grant.

ESSA Steering Committee Liaison Ms. Newton provided an updated timeline for the ESSA advisory teams. She shared the webpage of committee work available at <http://www.arkansased.gov/divisions/public-school-accountability/every-student-succeeds-act-essa/essa-advisory-teams>. She said the state is expecting a template from U.S. Department of Education next week. She said Ms. Meghan Ables hosted a Twitter Town Hall and received great feedback from teachers regarding ESSA.

Commissioner Key said the Department would continue planning for ESSA no matter next steps taken by the U.S. Department of Education.

Standing Committee on Academic Distress Chair Ms. Zook said ten (10) schools were removed from academic distress. She asked the Board to consider next steps regarding the June presentation from Covenant Keepers Charter School to the Standing Committee.

Little Rock Area Public Education Stakeholder Group Liaison Dr. Barth said the group meets on Monday for a work session to develop recommendations to the State Board.

National Association of State Boards of Education (NASBE) Liaison Ms. Reith said she and Dr. Barth will be attending the conference. Dr. Barth said Deputy Commissioner Dr. Mark Gotcher would be attending the Chief State School Officers meeting during the same time. He said he would be meeting with Congressmen.

Commissioner Key said the Student Discipline Committee met today and agreed on language for an amendment to House Bill 1859.

Special Education Liaison Ms. Zook said the committee has not met at this time.

Report-3 ForwARd Arkansas Report

ForwARd Arkansas Associate Director Mr. Cory Biggs said the team continues to work with the Department to review the focus areas of the vision. He said the work with Pre-K, reading on grade level by the end of third grade, quality after-school and summer programming, and community engagement are key areas of the current work.

Mr. Biggs said the ForwARd Communities – Crossett, Independence County, Marianna, Pea Ridge and Springdale – are working on a first draft of a co-constructed plan. He said the work is very different at each location. He said additional outreach is ongoing with Dollarway and Little Rock.

Mr. Biggs said a ForwARd Thinking Conference will be held March 30-31, 2017, at UA Community College in Batesville. He said a learning journey is planned for Chicago in April.

Mr. Biggs said research is being conducted on Pre-K data to see the impact on Grade 3 reading.

Report-4 Commissioner's Report

Commissioner Key said the College Board's AP District Honor Roll recognizes school districts across the U.S. and Canada for increasing AP access to underrepresented students while simultaneously maintaining or increasing the percentage of students earning AP exam scores of 3 or higher. AP District Honor Roll recipients demonstrate their commitment to expanding the availability of AP courses among prepared and motivated students of all backgrounds. He said the England School district was recently named to the 7th Annual AP District Honor Roll based on the examination of three years of AP data, from 2014 to 2016. He said recognized districts increased participation/access to AP by at least 4% in large districts, at least 6% in medium districts, and at least 11% in small districts. The England district was recognized for their accomplishments while having a 30% or greater enrollment of students who qualify for free/reduced lunch. In 2016, Arkansas had five districts on the 6th Annual AP District Honor Roll, and five districts on the 5th Annual Honor Roll in 2015.

Commissioner Key said through a partnership with Equal Opportunity Schools, three districts will work to increase AP participation from underserved students. He said a grant from the Department will assist with this partnership.

Commissioner Key said two bills from the Department are now Act 295 and Act 294. He provided an update on other Department bills.

Commissioner Key introduced the next video in the Innovation in Arkansas Education video series. The video highlights the changing culture at Malvern High School. The video is available on the ADE website at <http://www.arkansased.gov/divisions/learning-services>. He said Malvern is an example of a school implementing the vision for Arkansas.

Commissioner Key said over 1,000 teachers attended the Reading Conference in Hot Springs. He said the conference hosted amazing presenters. He said the Department team did an outstanding job.

Report-5 2016 Arkansas Teacher of the Year Report

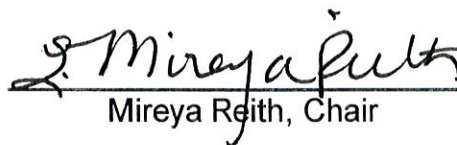
The 2016 Arkansas Teacher of the Year report is posted on the State Board agenda and the ADE website at <http://arkansased.edublogs.org>.

Adjournment

Dr. Barth moved, seconded by Ms. Zook, to adjourn. The motion carried unanimously. The meeting adjourned at 3:44 p.m.

Minutes recorded by Deborah Coffman


Johnny Key, Commissioner


Mireya Reith, Chair